

11/17/97

jc488 U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Keith M. Scott
U. S. Serial No. : 08/795,902
Filed On : February 5, 1997
For : METHOD FOR SHARPENING BEDKNIVES
Examiner : Eley
Art Unit : 3203

FILE WRAPPER CONTINUING APPLICATION (FWC) TRANSMITTAL

Hon. Commissioner of Patents
and Trademarks
Washington, D. C. 20231
Box FWC

Sir:

This is a request for a filing under the file wrapper continuation application procedure, 37 CFR 1.62 for a

- ☒ Continuation
☐ Divisional
☐ Continuation-in-part, attached is an amendment for added subject matter
☐ Continuation application to permit consideration of an information disclosure statement under 37 CFR 1.97.

PARTICULARS OF PRIOR APPLICATION

- A. Application Serial No. 08/795,902, filed on February 5, 1997.
B. Title: METHOD FOR SHARPENING BEDKNIVES
C. Name of applicant(s) as originally filed and as last amended) and current correspondence address of applicant(s)

Full Name (first or sole inventor) KEITH M. SCOTTCitizenship USAResidence Waterford, MichiganAddress 3043 Golfhill Drive; Waterford, Michigan 48329

The above identified application, in which no payment of issue fee, abandonment of (other than where the above identified application was abandoned under 37 CFR 1.313(b)(5) to permit consideration of an information disclosure statement under 37 CFR 1.97), or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

It is understood that secrecy under 35 USC 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 CFR 1.62 application, be it either this application or a prior application in the same file wrapper, the PTO may provide similar information or access to all the other applications in the same file wrapper.

INVENTORSHIP STATEMENT

- (a) ☒ This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor(s) in this application are
☒ the same
☐ less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted:
- (b) ☐ This application discloses and claims additional disclosure by amendment and a new declaration or oath is being filed. With respect to the prior application whose particulars are set out above the inventor(s) in this application are
☐ the same
☐ add the following additional inventor(s)

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- (c) ☒ The inventorship for all of the claims in this application is
- ☒ the same
- ☐ not the same, and an explanation, including the ownership of the various claims at the time the last claimed invention was made is submitted.

DECLARATION OR OATH

A. Continuation or divisional
☒ none required

B. Continuation-in-part
☐ attached

executed by:

- ☐ inventor(s)
- ☐ legal representative of inventor(s) 37 CFR 1.42 or 1.43
- ☐ joint inventor or person showing a proprietary interest for inventor who refused to sign or cannot be reached 37 CFR 1.47;
- ☐ This is the petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is also attached
- ☐ not attached
- ☐ Application is made by a person authorized under 37 CFR 1.41(c) on behalf of all of the above named applicant(s).
- ☐ Attached is a showing that the filing is authorized

IDENTIFICATION OF CLAIMS FOR FURTHER PROSECUTION

- ☐ The fees to be charged are to be based on the number of claims remaining as a result of the:
- ☐ attached preliminary amendment
- ☐ the unentered amendment filed under 37 CFR 1.116 in the prior application, which is now repeated
- ☒ the claims as on file in the prior application

FEE CALCULATION (37 CFR 1.16)

CLAIMS FOR FEE CALCULATION

	Number Filed	Number Extra	Rate	Basic Fee \$ 395.00
Total Claims	3 - 20	0	X \$11.00	--
Independent Claims	1 - 3	0	X \$40.00	--

- ☐ The fee for extra claims is not being paid at this time.

Filing fee calculation \$ 395.00

PETITION FOR SUSPENSION OF PROSECUTION FOR THE TIME NECESSARY TO FILE AN AMENDMENT

- ☐ There is provided herewith a Petition to Suspend Prosecution for the Time Necessary to File an Amendment (New Application Filed Concurrently).

SMALL ENTITY STATEMENT

- ☐ A verified statement that this is a filing by a small entity is attached.
- ☒ The small entity statement was filed in the parent application Serial No. which parent application was filed on and this status is still proper and its benefit under 37 CFR 1.28(a) is hereby claimed.

FEE PAYMENT BEING MADE AT THIS TIME

Not Attached

- ☒ No filing fee is submitted.

Attached

☐ filing fee \$
☐ recording of assignment \$
☐ petition fee for filing by other than all the inventors or persons not the inventor where inventor refused to sign or cannot be reached \$
☐ processing and retention fee \$
Total Fees Enclosed \$

METHOD OF PAYMENT OF FEES

☐ Attached is a check in the amount of \$
☐ Charge deposit account no. 02-2049 in the amount of \$

AUTHORIZATION TO CHARGE ADDITIONAL FEES

☐ The Commissioner is hereby authorized to charge the following additional fees which may be required by this paper and during the entire pendency of this application to Account No. 02-2049.
☐ 37 CFR 1.16(a), (f) or (g) (filing fees)
☐ 37 CFR 1.16(b), (c) or (d) (presentation of extra claims)
☐ 37 CFR 1.16(e) (surcharge for filing the basic filing fee and/or declaration a date later than the filing date of the application)
☐ 37 CFR 1.17 (application processing fees)
☐ 37 CFR 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b))

INSTRUCTION AS TO OVERPAYMENT

☐ Credit Account No. 02-2049
☐ Refund

PRIORITY

☐ Priority of application Serial No. _____ filed on _____ in _____ is claimed under 35 USC 119.
☐ The certified copy has been filed on _____ in prior U.S. application Serial No. _____ which prior application was filed on _____
☐ Certified copy will follow

RELATE BACK--35 USC 120

☒ Amend the specification by inserting before the first line the sentence:

"This is a
☒ continuation of serial number 08/195902 filed on Feb. 5, 1997, now abandoned, which is
☐ divisional of a continuation of
☐ continuation-in-part
of copending application(s)
☒ serial number 08/507,942, filed on July 27, 1995" now abandoned.
☐ International application _____ filed on _____
and which designated the U.S."

ASSIGNMENT

☐ the prior application is assigned of record to:

☐ an assignment of the invention to:

is attached. A separate ☐ cover sheet for assignment accompanying new patent application or ☐ form PTO 1906 is also attached.

POWER OF ATTORNEY

The power of attorney in the prior application is to:

John R. Benefiel, Reg. No. 24,889

- [X] The power appears in the original papers in the prior application
[] The power does not appear in the original papers, but was filed on
[] A new power has been executed and is attached
[X] Address all future communication to:

John R. Benefiel
280 Daines Street, Suite 100 B
Birmingham, Michigan 48009
(810) 644-1455

MAINTENANCE OF COPENDENCY OF PRIOR APPLICATION

- [] A petition, fee and response has been filed to extend the term in the copending prior application until _____
[] A copy of the petition for extension of time in the prior application is attached.

CONDITIONAL PETITIONS FOR EXTENSION OF TIME IN PRIOR APPLICATION

- [] A conditional petition for extension of time is being filed in the pending prior application
[] A copy of the conditional petition for extension of time in the prior application is attached

ABANDONMENT OF PRIOR APPLICATION

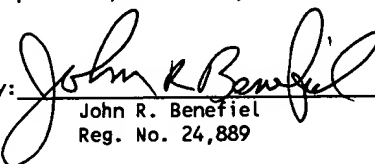
- [X] Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time or to revive in that application is granted and when this application is granted a filing date so as to make this application copending with said prior application. At the same time please add the words "now abandoned" to the amendment to the specification set forth above.

INFORMATION DISCLOSURE STATEMENT

- [] Submitted herewith is an Information Disclosure Statement

Respectfully submitted,

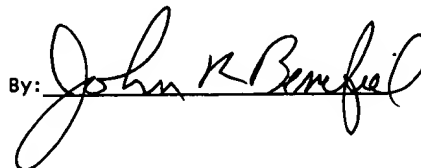
Date: November 12, 1997

By: 
John R. Benefiel
Reg. No. 24,889

280 Daines Street
Suite 100 B
Birmingham, Michigan 48009
248-644-1455

CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

It is hereby certified that this correspondence, along with any items referred to as being attached or enclosed, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Hon. Commissioner of Patents and Trademarks, Washington, D. C. 20231, on November 12, 1997.

By: 

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